

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOSE MENDEZ, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

AVIS BUDGET GROUP, INC., BUDGET
RENT A CAR SYSTEM, INC., AVIS RENT A
CAR SYSTEM, LLC and HIGHWAY TOLL
ADMINISTRATION, LLC,

Defendants.

:
: HON. JOSEPH A. DICKSON, U.S.D.J.
: Civ. Action No. 2:11-cv-06537 (JLL)(JAD)

:
: **DECLARATION IN SUPPORT OF**
: **DEFENDANTS' MOTION TO SEAL**

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: (Document Filed Electronically)
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I, PAUL J. HALASZ, declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney-at-law of the State of New Jersey and a member of Day Pitney LLP, attorneys for defendants Avis Budget Group, Inc. and Highway Toll Administration, LLC.

2. I am familiar with the facts and proceedings of this action, and I make this declaration, based on my personal knowledge and review of the relevant documents, in support of defendants' motion to seal the following materials exchanged during discovery:

- Pages 3-6 of plaintiff's letter filed on June 6, 2014, ECF no. 99.
- Exhibit A to plaintiff's letter filed on June 6, 2014, ECF no. 99.
- Exhibit H to plaintiff's letter filed on June 6, 2014, ECF no. 99.
- Exhibit I to plaintiff's letter filed on June 6, 2014, ECF no. 99.

3. The parties, through discovery in this case, have produced information they consider confidential. To prevent unwarranted disclosure of this information, the parties agreed to maintain the confidentiality of such materials pursuant to the Discovery Confidentiality Order

entered by this Court on August 14, 2012, ECF No. 50, and the Revised Discovery Confidentiality Order entered by this Court on October 11, 2013, ECF No. 70 (the "DCO"). The DCO provides that "[n]o 'Confidential Information' or 'Confidential – Attorneys' Eyes Only' material shall be filed in the public record of this Litigation. All material so designated . . . shall be filed under seal as provided by Local Civil Rule 5.3(c)."

4. ABG is very careful not to publicly reveal the content of commercially sensitive information, including financial data and/or analyses and information about ABG's internal decision-making processes. Disclosure of such confidential and/or proprietary information could harm ABG's competitive position and provide ABG's competitors an unfair advantage in establishing competing products and processes.

5. Attached hereto as Exhibit A is a true copy of an excerpt from the transcript of the parties' October 8, 2013 hearing before this Court.

I declare under penalty of perjury that the foregoing is true and correct.


PAUL J. HALASZ

Dated: June 9, 2014